

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF INDIANA  
SOUTH BEND DIVISION

MICHAEL BLOCHER,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CAUSE NO: 3:21-cv-780
	)	
THOR MOTOR COACH, INC.,	)	
	)	
Defendant.	)	

**COMPLAINT AND DEMAND FOR JURY TRIAL**

1. Plaintiff, Michael Blocher (“Blocher”), brings this action against Defendant, Thor Motor Coach, Inc. (“Defendant”), for unlawfully violating his rights as protected by Title VII of the Civil Rights Act of 1964 (“Title VII”).

**PARTIES**

2. Blocher has resided within the Northern District of Indiana at all relevant times.
3. Defendant is a corporation doing business within the Northern District of Indiana.

**JURISDICTION AND VENUE**

4. Jurisdiction is conferred on this Court by 28 U.S.C. § 1331 and 42 U.S.C. § 2000e-5(f)(3).
5. Blocher was an “employee” within the meaning of 42 U.S.C. § 2000e(f).
6. Defendant is an “employer” within the meaning of 42 U.S.C. § 2000e(b).
7. Blocher satisfied his obligations to exhaust his administrative remedies, having timely filed a Charge of Discrimination with the Equal Employment Opportunity Commission. The EEOC issued a right-to-sue notice to him. He now timely files his lawsuit.
8. Venue is proper in this Court.

**FACTUAL ALLEGATIONS**

9. Blocher is male.
10. Defendant hired Blocher in or about October 2015.
11. Rick Ulrey (“Ulrey”) supervised Blocher from in or about 2016 until on or about August 2, 2019.
12. Blocher’s work performance met or exceeded Defendant’s legitimate expectations at all relevant times.
13. Ulrey created a hostile work environment for Blocher because of his sex/gender.
14. The harassment was severe or pervasive and altered the terms and conditions of Blocher’s employment.
15. Ulrey communicated sexually-offensive statements to Blocher multiple times each week during the time period Ulrey supervised him, including, but not limited to: calling him “bitch,” “my little bitch,” and “homo.”
16. Ulrey also engaged in sexually-offensive conduct toward Blocher by smacking him on the buttocks multiple times each week while calling him “bitch” or “homo.”
17. Blocher repeatedly opposed Ulrey’s sexual conduct.
18. Blocher complained about the sexually-hostile work environment several times to Defendant.
19. Defendant took no legitimate actions designed to address the hostile environment.
20. Instead, the harassment continued.
21. On or about July 26, 2019, Ulrey touched Blocher’s testicles without his permission.
22. Blocher again opposed Ulrey’s conduct.

23. Blocher subsequently reported Ulrey's unwanted and offensive sexual conduct to Plant Manager Rick Potter ("Potter"), and Potter indicated he would address his complaint.

24. On or about August 2, 2019, and on the heels of his statutorily-protected conduct, Ulrey advised Blocher that Defendant was discharging him.

25. Defendant has given conflicting/shifting reasons for Blocher's termination.

26. Defendant took adverse employment actions against Blocher because of his sex and statutorily-protected complaints.

27. All reasons proffered by Defendant for adverse actions it took regarding Blocher's employment are pretextual.

28. Blocher has suffered injury and harm as a result of Defendant's unlawful actions, including, but not limited to, lost wages, lost benefits, inconvenience, humiliation, embarrassment, anger, disgust, frustration, and similar emotions.

## **COUNT I**

### **SEX HARASSMENT – TITLE VII**

29. Blocher hereby incorporate paragraphs 1-28 of his Complaint.

30. Defendant created a sexually-hostile work environment for Blocher.

31. Blocher complained about the sexually-hostile work environment to Defendant, but it took no legitimate action designed to remedy the harassment.

32. Defendant's unlawful actions were intentional, willful, and done in reckless disregard of Blocher's rights as protected by Title VII.

**COUNT II**

**RETALIATION – TITLE VII**

33. Blocher hereby incorporate paragraphs 1-32 of his Complaint.

34. Blocher complained about sex harassment to Defendant.

35. Defendant took adverse employment actions against Blocher because of his statutorily-protected activities.

36. Defendant's unlawful actions were intentional, willful, and done in reckless disregard of Blocher's rights as protected by Title VII.

**REQUESTED RELIEF**

WHEREFORE, Plaintiff, Michael Blocher, by counsel, respectfully requests that this Court find for him and order that:

1. Defendant reinstate Blocher to the same position, salary, and seniority, or pay front pay and benefits to him in lieu of reinstatement;

2. Defendant pay lost wages and benefits to Blocher;

3. Defendant pay compensatory and punitive damages to Blocher;

4. Defendant pay pre- and post-judgment interest to Blocher;

5. Defendant pay Blocher's attorneys' fees and costs incurred in litigating this action;

and

6. Defendant pay to Blocher any and all other legal and/or equitable damages that this Court determines appropriate and just to grant.

Respectfully submitted,

s/ John H. Haskin

John H. Haskin, Attorney No. 7576-49

s/ Bradley L. Wilson

Bradley L. Wilson, Attorney No. 21154-49

Attorneys for Plaintiff  
Michael Blocher

JOHN H. HASKIN & ASSOCIATES  
255 North Alabama Street, 2<sup>nd</sup> Floor  
Indianapolis, Indiana 46204  
Telephone: (317)955-9500  
Facsimile: (317)955-2570  
Email: jhaskin@jhaskinlaw.com  
bwilson@jhaskinlaw.com

**DEMAND FOR JURY TRIAL**

Plaintiff, Michael Blocher, by counsel, respectfully requests a jury trial for all issues deemed triable.

Respectfully submitted,

s/ John H. Haskin

John H. Haskin, Attorney No. 7576-49